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Attorney for Plaintiffs

**UNITED STATE DISTRICT COURT**

**DISTRICT OF NEVADA**

ROBBIN L. LOLOGO, an individual; and  
VINCENT J. LOLOGO, an individual,

Plaintiffs,

v.

WAL-MART STORES, INC., a Delaware  
corporation d/b/a WAL-MART SUPERCENTER  
STORE #1834; and DOES I – X, inclusive, and ROE  
CORPORATIONS I through X, inclusive,

Defendants.

WAL-MART STORES, INC., a Delaware  
corporation d/b/a WAL-MART SUPERCENTER  
STORE #1834,

Cross-Claimant/Counter Defendant,

v.

ADVANTAGE SALES & MARKETING LLC, a  
foreign corporation; ROE CORPORATIONS I  
through XX; and DOES 1 through XX, inclusive,

Cross-Defendants.

Case No. 2:13-cv-01493-GMN-PAL

**STIPULATION AND ORDER TO  
EXTEND PLAINTIFFS' DEADLINES TO  
RESPOND TO DEFENDANT/CROSS-  
DEFENDANT ADVANTAGE SALES &  
MARKETING LLC'S MOTIONS AND  
DEFENDANT/CROSS-CLAIMANT/  
COUNTER DEFENDANT WAL-MART  
STORES, INC.'S JOINDERS THEREIN**

**[FIRST REQUEST]**

ROBBIN L. LOLOGO, an individual; and  
VINCENT J. LOLOGO, an individual,

Plaintiffs,

v.

ADVANTAGE SALES & MARKETING LLC, a  
foreign corporation; ROE CORPORATIONS I  
through XX; and DOES I through XX, inclusive,

Defendants.

**STIPULATION AND ORDER TO EXTEND PLAINTIFFS' DEADLINES TO RESPOND TO  
DEFENDANT/CROSS-DEFENDANT ADVANTAGE SALES & MARKETING LLC'S  
MOTIONS AND DEFENDANT/CROSS-CLAIMANT/ COUNTER DEFENDANT WAL-MART  
STORES, INC.'S JOINDERS THEREIN**

The parties hereby represent that a description of certain Motions filed by ADVANTAGE SALES & MARKETING LLC (ASM), the dates of the filings of said Motions, the Federal Court Docket filing number of said Motions, and the original dates for filing Responses to said Motions are set forth in the chart below;

The parties hereby represent that WAL-MART STORES, INC. (Wal-Mart), has filed Joinders in relation to the said Motions; and

The parties hereby stipulate that Plaintiffs shall have up through and including the Stipulated Extended Response Dates set forth below in which to file Responses to said Motions and Joinders as follows:

| <b><u>Motion Description</u></b>   | <b><u>File Date</u></b> | <b><u>ECF No.</u></b> | <b><u>Original Response Date</u></b> | <b><u>Stipulated Extended Response Date</u></b> |
|--|-------------------------|-----------------------|--------------------------------------|---|
| Motion for Sanctions re Discovery Motion to Exclude Ps' Medical Expert Witnesses | 05/17/16                | 91                    | 06/03/16                             | 06/17/16  |
| Motion for Summary Judgment  | 05/17/16                | 92                    | 06/10/16                             | 06/17/16  |
| Motion in Limine to Preclude Testimony of Alex Balian                            | 05/20/16                | 93                    | 06/06/16                             | 06/17/16  |

Lologo V. Wal-Mart Stores, Inc., et al.  
Case No. 2:13-cv-01493-GMN-PAL

**REASONS FOR PLAINTIFF'S EXTENSIONS**

The undersigned attorney for Plaintiffs' represents that the reasons the Plaintiffs require extensions to file the Responses to said Motions are as follows:

1. Plaintiffs' attorney was out of town during some of the time that Plaintiffs' counsel would otherwise have had to devote to preparing the Responses to the said Motions;
2. Plaintiffs' attorney's calendar has been full of other pressing cases with deadlines that have conflicted with and hampered the ability of Plaintiffs attorney to finalize the Responses to said Motions; and
3. Plaintiffs' attorney and the attorney for ASM have been engaged in settlement negotiations that have required some of the time that Plaintiffs' counsel would otherwise have had to devote to preparing the Responses to the said Motions;
4. The requested extensions are made in good faith and not for the purposes of delay, but rather, for the purposes of making sure that all Responses to the said Motions are well prepared and legally sufficient on the merits.

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**PROPOSED NEW DEADLINES**

NOW THEREFORE Plaintiffs' shall have up to and including June 17, 2016 to Respond to the Motion for Sanctions re Discovery Motion to Exclude Ps' Medical Expert Witnesses, Motion for Summary Judgment, and Motion in Limine to Preclude Testimony of Alex Balian filed by ASM and the Joinders thereto filed by Wal-Mart.

DATED this 20th day of June, 2016.

DATED this 20th day of June, 2016.

LAW OFFICES OF ERIC R. BLANK, P.C.

PHILLIPS, SPALLAS & ANGSTADT LLC

By: /s/ William B. Palmer, II

By: /s/ Melanie L. Thomas

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*Attorney for Defendant, Wal-Mart Stores, Inc.*

DATED this 20th day of June, 2016.

MURCHISON & CUMMING, LLP

By: /s/ Michael J. Nunez

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*Attorneys for Advantage Sales &  
Marketing, LLC*

**IT IS SO ORDERED.**

DATED this 20 day of June, 2016.

  
UNITED STATES DISTRICT JUDGE